HANOVER - NIVERVILLE

Fringe Study

Steinbach Field Office
Municipal Planning
Municipal Affairs
September, 1984

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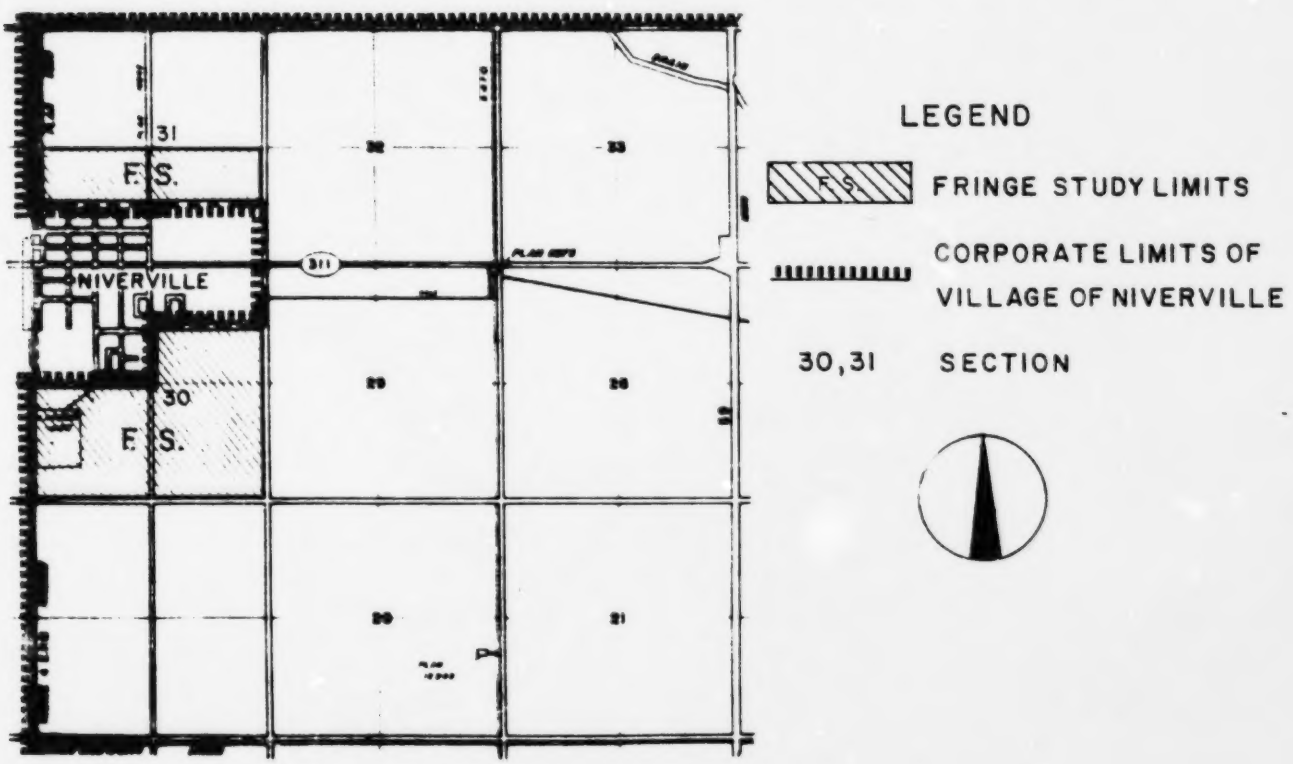
I. INTRODUCTION

(a) Impetus and Purpose of Study

The Hanover Basic Planning Statement adopted in 1981 states "The Municipality shall undertake a joint study with the respective jurisdictions to determine development policies for the urban fringe around the Village of Niverville. Until this study is completed, all development within the fringe areas, as shown on the Development Designation Map attached hereto, shall be strictly controlled".

Map 1 - Study Area Limits



Furthermore, within the last twelve months, considerable development pressure has occurred on the north-south Provincial Road No. 318 with the proposal of a twelve lot Rural Residential subdivision. The proposed twelve lot subdivision is entirely within the fringe study area west of P.R. No. 318 on Section 30.

(b) Existing Land Use and Subdivision Activity in the Study Area

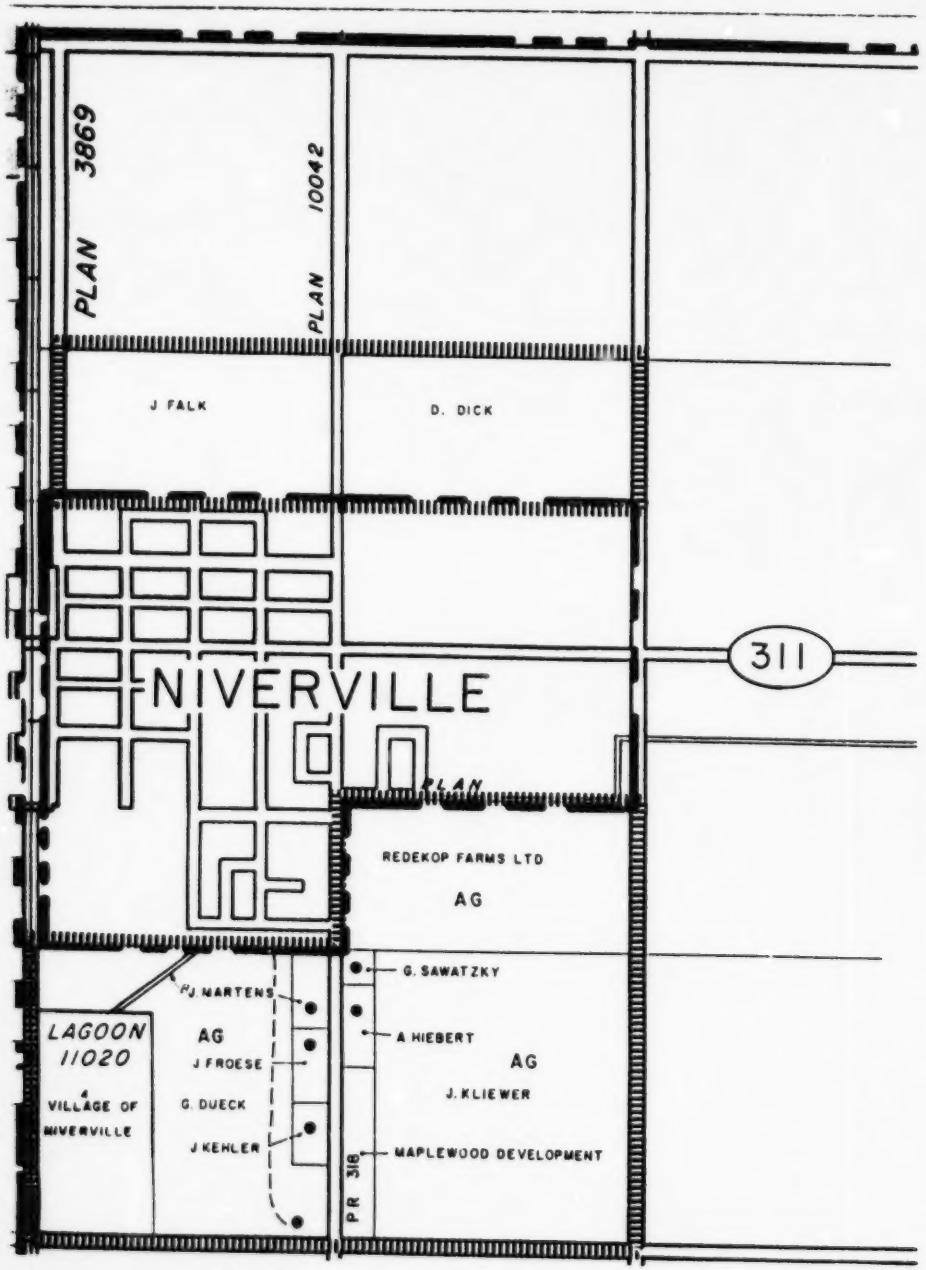
(I) Existing Land Use

The predominant land use of Section 31, Township 7, Range 4 east,north of the Village of Niverville is agricultural with no building located in this part of the fringe study area. As Map 2 attached indicates there is considerably more development in Section 30, Township 7, Range 4 of the study area south of the Village of Niverville border. The most western part of Section 30 (some 45.13 acres) is utilitzed as the Village of Niverville sewage lagoon. There remains 3 - 5 acre rural residential lots and a 99 acre farming operation west of P.R. No. 318. East of P.R. No. 318 on Section 30 are two rural residences, each on a 5 acre parcel, with the remainder of the land being used for agricultural crop production. The land holdings in the agricultural district are 10 acres, 142 acres and 79.8 acres respectively.

(II) Subdivision Activity Fringe Study Area Since 1976

Prior to the March 1984 proposed 12 lot subdivision there has only been two single lot subdivisions proposed in the study area.

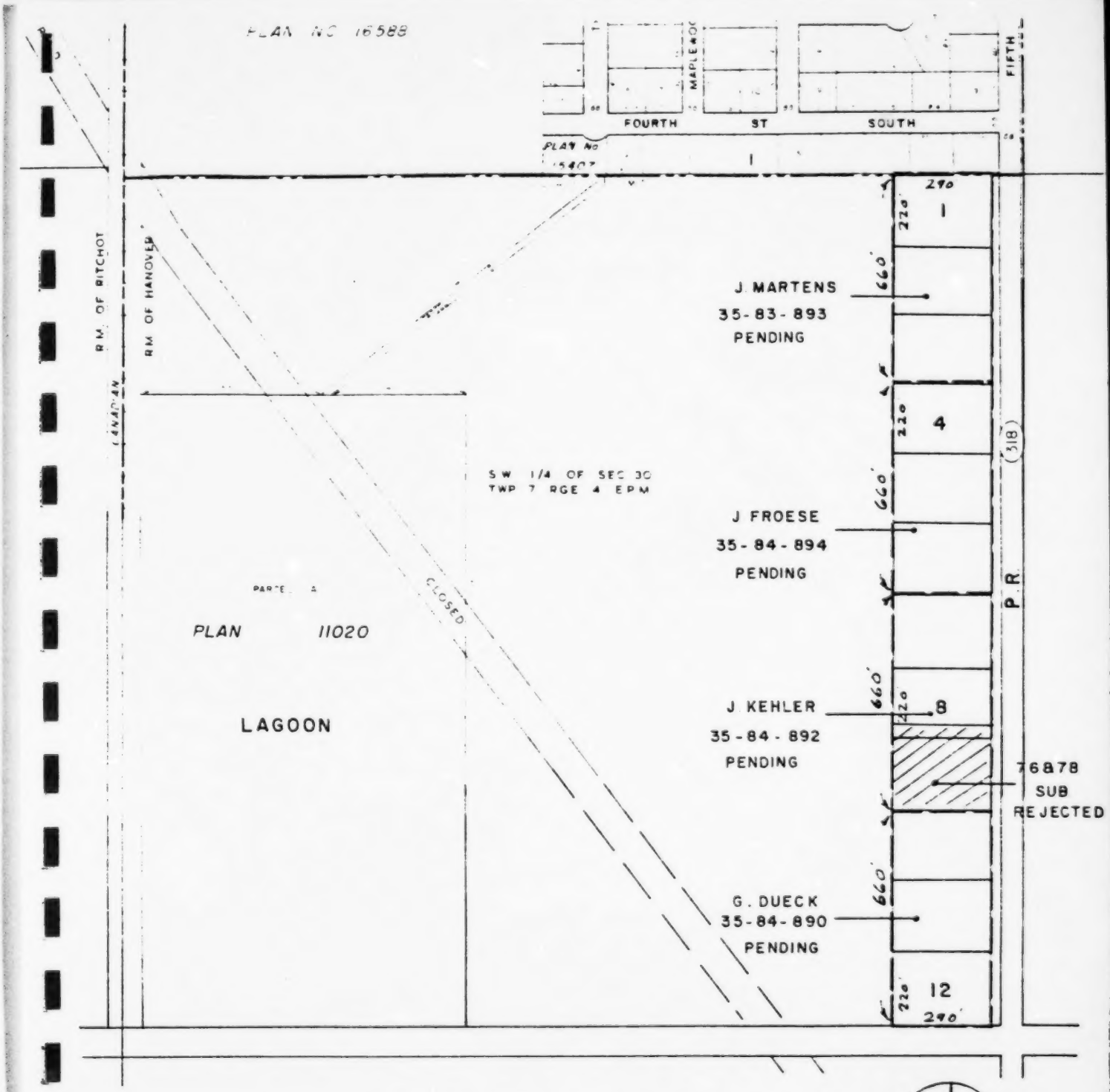
In 1976, J. Kehler proposed a 2 acre rural residential lot



MAP 2
EXISTING LAND USE AND
PROPERTY OWNERSHIP

on the W½ of Section 30 which was subsequently rejected by Council. In 1978, a 2.25 acre rural residential lot was proposed at the same general location by Mr. J. Kehler and in this case the proposal was rejected by the Approving Authority (see Map 3).

In March 1984 the three property owners (each with a five acre holding abutting the west limit of P.R. No. 318 and part of the large 99 acre holding of Mr. G. Dueck) proposed 12 equal size rural residential strip type development lots (220' x 290') on Section 30. The proposed 12 lot subdivision is presently being held in abeyance by the R.M. of Hanover until this study has dealt with the land use designation for the study area. Concern has been expressed by various government agencies including Environmental Management, Highways & Transportation and Municipal Affairs. The issues raised in these concerns will be elaborated and dealt with in the next section of this report.



SEC.30 TWP.7 RGE.4E.
SUBDIVISION ACTIVITY
SINCE 1976

MAP 3

II. STUDY AREA BACKGROUND INFORMATION

(a) Summary of Comments

(I) Department of Agriculture

Residential expansion in the fringe area of Niverville should not occur unless the Village expands in a compact planned manner.

(II) Environmental Control Branch - Public Health Inspector

The existing five livestock production operations within a 1 mile radius of the fringe area of Niverville have not caused any major complaints in the area.

The Branch recommends that there be no residential development within a quarter mile of an existing sewage lagoon. Presently the western limits of the proposed 12 lot subdivision is 1320 feet from the existing lagoon. Similarily, development limitations exist within 1320 feet of an abandoned waste disposal ground - part of the present lagoon property was used as a waste disposal site.

The soil condition is not ideally suited in the proposed 12 lot subdivision for individual septic field systems. Evidence of this is demonstrated in the existing sewage disposal system of the area, with the result of leaking septic fields and accompanying odour and fly problems. The only practical way to overcome this problem would be to extend the Niverville sewage system to service the new lots being created. The size and design capacity of the existing sewage lagoon would also have to be carefully

studied.(1)

(iii) Department of Highways & Transportation

The Department of Highways & Transportation would be opposed to the creation of strip development along Provincial Road No. 318. Provincial Land Use Policy No. 12 states that strip development along the highway, whereby direct connections to the highway are continuously relied upon for providing access to abutting properties shall not be permitted.

(iv) Municipal Planning Branch

The predominant land use in the study area is agricultural (480 acres). There are presently five rural residential lots in Section 30, Township 7, Range 4E and the Village of Niverville lagoon occupies some 45 acres of land in Section 30. There has been little subdivision activity in the study area with the exception of the current 12 lot rural residential development proposal abutting the west side of P.R. No. 318.

As a basic planning principle, agricultural land in the fringe of Niverville should be retained for agricultural production until such time that it is needed for urban expansion of Niverville. This is the basic thrust of

(1) Presently, Parkview Avenue, the most southerly Niverville street with piped sewage would not be able to connect to any gravity hook up (without a lift station)-sewage line from the proposed 12 lot subdivision.

Provincial Land Use Policy No. 4. Policy No. 3 furthermore states that rural residential development should not be a conversion to an urban use. Experience has shown that rural residential development in the fringe of urban communities eventually is annexed into the adjoining community and serviced and re-subdivided to urban type lots.

Development in the fringe area of Niverville should protect the future interest of Niverville from the following two main perspectives:

(a) the Village should maintain an adequate land base for future expansion needs. Expansion needs should take into consideration current development restraints such as the CPR rail line, the buffer requirement of the Village's lagoon, a continued economical servicing system with respect to sewer and water, and the current pattern of land use configuration.

(b) land ownership configuration has a direct bearing on feasibility of change to urban use from rural; experience indicates that more complex the ownership pattern the more difficult the conversion to residential and other urban uses. Consequently a simple ownership pattern in large holdings would facilitate future change to village form.

As identified in the Environmental - Health Inspector report, the soil condition in this area is not suited for the septic field disposal system. The unsuitability of the soil in the

study area for septic fields has been well documented in the "Ritchot Drive Subdivision" west of the Village of Niverville. Therefore, any concentration of developed lots in this type of soil condition will create soil saturation with its accompanying odour problem and thus should not be developed in the study area. Thus, the development of the fringe area of Niverville should only occur in the context of a municipal piped sewer system. As identified, the predominant land use in the study area is agricultural. The development of agricultural land in the study area for intensive livestock or poultry operations should only occur in the policy laid out in the Hanover Basic Planning Statement, i.e. as a conditional use.

The question raised in terms of the Village of Niverville having an adequate land base for future expansion and therefore possible annexation is very important and relevant for this study. Presently the Village of Niverville has in excess of over 100 residential lots which could be developed in the near future. Furthermore, there is an adequate supply of commercial and industrial land available within the corporate limits of Niverville as identified in their Basic Planning Statement. In the long term, the Basic Planning Statement identified an adequate supply of land which is presented used for agricultural for urban type land uses. Therefore, the need for additional land for urban expansion of Niverville as it relates to this study

area is not a factor to be addressed in detail at this time.

(b) Background Reports

NIVERVILLE FRINGE STUDY

Niverville is situated in the middle of a highly productive agricultural area. The soils around Niverville are dominantely of the Red River Series and the Osbourne Series. These soils have a C.L.I. capability of class 2 and 3.

LAND USE

Cereal crop production is the dominant user of land around Niverville. As there are no livestock operations there is little need for hay and pasture.

There are six poultry operations within a mile radius of the town. Two of these operations are within the town boundaries — one just east of the built up area and one on the south end of the built up area. The future of this latter operation is certainly clouded.

FUTURE EXPANSION POLICY

The Department of Agriculture recommends that no unplanned residential development be permitted around Niverville. All expansion of the town should be in the form of compact planned residential growth.

The allowance of family subdivision is a major concern of the Department of Agriculture in the R.M. of Hanover as such splits result in inefficient land use. This should not be permitted around Niverville.

JUL 18 1984
MUNICIPAL PLANNING DR.
STEINBACH, MANITOBA

PS-1-25

MANITOBA
Inter-Departmental Memo

Date July 17, 1984

To Mr. Terry Jaremy
Regional Supervisor
Box 7, Bldg. 2
139 Tuxedo Avenue
Winnipeg, Manitoba
R3N OH6

From Mr. Maurice Bazin
Public Health Inspector
Box 2560
Steinbach, Manitoba
ROA 2AO

Telephone 1-326-1363

Subject Urban Fringe Study - Village of Niverville

In response to Teresa Gaska's June 21, 1984 letter to you regarding the above noted subject, the following is offered for your information and attention:

1. Effects of residential development within fringe area upon existing Livestock Production operations:

Existing Livestock Production operations in and around this fringe area include:

A. Apex Farm Layer barns - ((3) on attached map) a fairly intensive layer operation that could affect residential development in the NE¼ of 30-7-4E because of odors and possibly flies. These barns are presently within the boundaries of Niverville and we have received no complaints with regards to this operation.

B. Keystone Hatchery chicken barns ((4) on accompanying map) which is used in conjunction with Keystone Hatchery. These barns are also located within the Village boundary. We have investigated some complaints with regards to the manure being piled up behind the barns in the past. However, this problem was usually rectified in short order. These barns could affect residential development on SW¼ 30-7-4E because of flies and odors, however, as can be seen on the accompanying map, residential development has already taken place a lot closer to these barns with no apparent ill effects or concerns except in rare occurrences as noted above.

C. Norman Wiebe Poultry operation ((5) on accompanying map). This office has not received any complaints with regards to this operation. However, some problems with odors could be experienced with the development of residential lots in the SE¼ of 31-7-4E.

D. Born Bros. Poultry operation ((6) on accompanying map). Although located in the RM. of Ritchot, this operation could create problems with residential development in SW¼ of 31-7-4E, as far as odors and flies. We have not received any complaints at the office with regards to this operation.

E. Hog barn indicated as (7) on the accompanying diagram is also in the R.M. of Ritchot, and when operating, could also result in odor problems with the development of residential lots on SW 31-7-4E. This office has received no complaints with this operation from the residents of Niverville as yet.

...2

It seems that the major effect of these above noted Livestock Production Operations upon residential development in the indicated fringe areas would stem from nuissances (mostly odors) associated with the operation of the barns. The land used for manure disposal of these operations could also have effect upon residential development of this fringe area because although not long lasting, the odors associated with the spreading of manure are often more acute than those produced by the normal operation of these farms.

2. Effects of residential development within fringe area upon industrial manufacturing, plants within this area:

- As indicated on the accompanying diagram by (1)(Niverville Concrete Ltd.) and (2)(Niverville Feed and Farm Supply) the normal day-to-day operation of these plants could possibly, because of dust, noise and odors, affect residential development, especially in the SE¼ of 31-7-4E. However, as both these plants are located within the existing village boundaries and have, operated sometime without apparently creating nuissance conditions (we have received no complaints in the office with regards to the operation of either of these plants). The existence of these plants at this location would probably have a negligable affect on residential development in the fringe area under study.

- Hanover Feed & Seed, indicated as (9) on the accompanying diagram, however, because of its location, within the village itself and because of dust, noise and odors produced by the operation of this plant, could have some effects on residential development, especially in SW 31-7-4E. However in this case again, this plant has been in operation for a number of years, and we have yet to receive a complaint from the residents of the village presently located much closer to the plant than the area covered by the fringe area under study.

It would thus appear, that these plants, because of the nature of their operation, have the potential to create problems that would affect residential developments but, due to the fact that they create employment or the fact that they have been there for a number of years, and residents have gotten used to them, do not seem to pose any problems at present.

3. Effect of existing lagoon upon residential development in the fringe area under study:

Our Branch has issued a guideline that recommends against any residential development within ½ mile of any site used as a lagoon. This would certainly affect residential development in the SW¼ of Section 30-7-4E.

4. Effects of abandoned waste disposal ground site upon residential development in the fringe area under study:

In September of 1982, our Branch has issued a policy statement which reads:

> "For Subdivision proposals located within 402 meters (¼ mile approx.) of an abandoned waste disposal ground - it is recommended that the subdivision not be approved unless the developer can conclusively demonstrate, through a consultant engineer, that methane gas generation will not create a problem in the buildings to be served".

This would certainly affect residential development within SW¼ of Section 30-7-4E.

5. Effects of private sewage disposal systems upon residential developmnet in the Urban Fringe Study area.

As was explained on my comments on the 4 recent 3 lot subdivision proposals in SW¼-30-7-4E, the soil condition in this general area is not ideally suited for septic fields. Evidence of this are demonstrated in the existing private sewage disposal systems in this area. Any concentration of developed lots in this type of soil condition will often create soil saturation with resulting leaking septic fields and accompanying odor and fly problems.

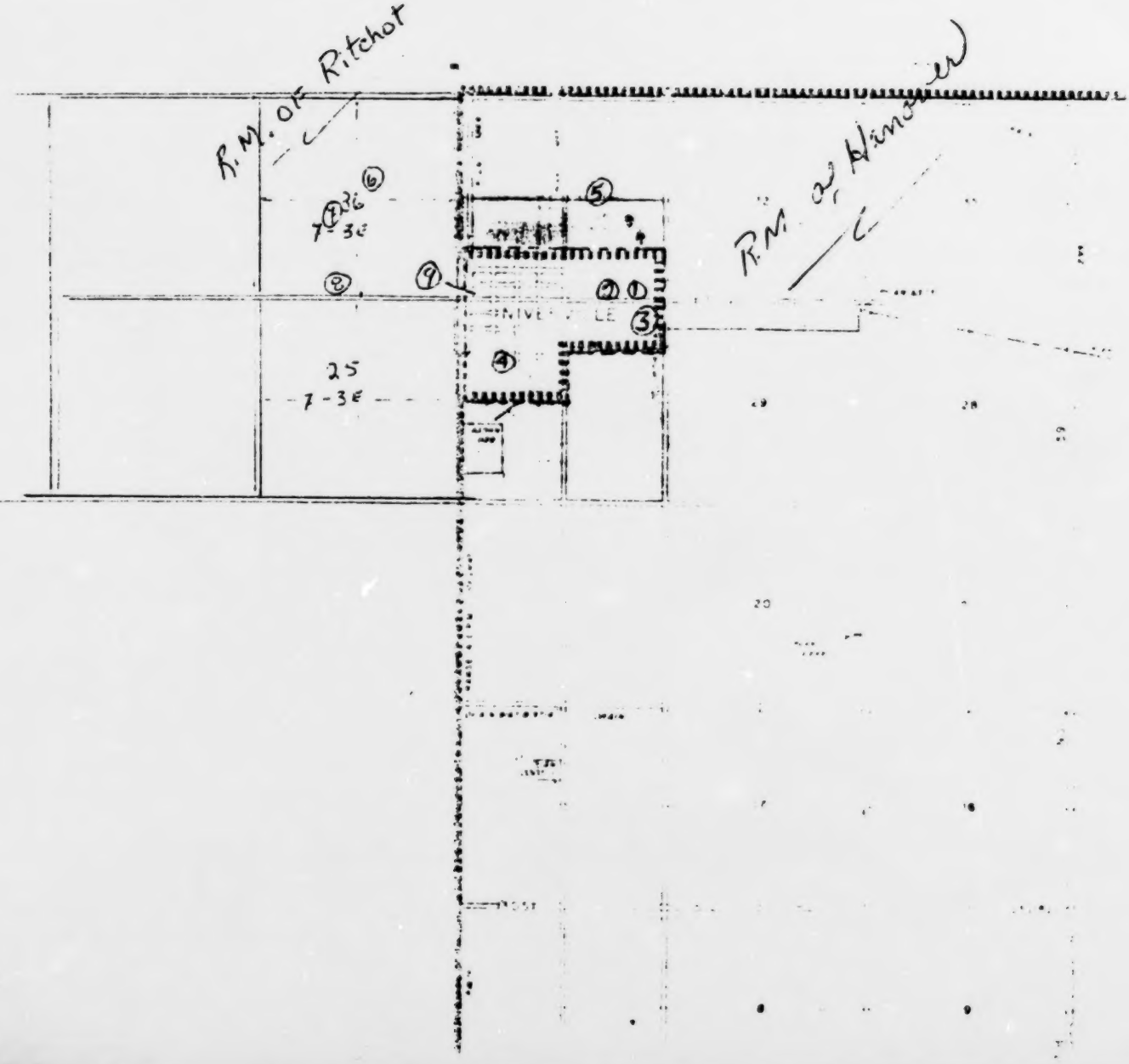
The only practical way to overcome this problem would be to extend the Niverville sewage system to service the new lots being created. The size and design capacity of the existing sewage lagoon would also have to be carefully studied to ensure that overloading of the existing lagoon does not occur.

As can therefore be seen by the aforementioned comments and observations, any residential development in the urban fringe study area will be somewhat affected by either existing Livestock Production Operations or soil conditions.

The degree of incompatibility between existing livestock production operations will however, depend on the size of the operation, the location and frequency of manure disposal from these operations, and the size and location of any new residential development proposals.

The size and number of residential development proposals and their concentration upon one specific area will also determine the soil saturation point, beyond which leaking septic field with resulting water pooling and odor problems could occur.

Any intensive residential development in this fringe study area would therefore probably have to connect up to an extension of Niverville sewerage system or establish their own municipal sewerage system.


R.M. of Ritchot
R.M. of Winnipeg
25
7-3E

MANITOBA
Inter-Departmental Memo

Date August 9, 1984

To Ms. Teresa Gaska
Planning Assistant
Municipal Planning Branch
Box 2680, 323 Main St.
Steinbach, Man. ROA 2AO

From Joseph Romeo
Development Review Engineer
Dept. of Highways & Transportation
14th Floor, 215 Garry St.
Winnipeg, Man. R3C 3Z1

Telephone 945-3678

Subject: VILLAGE OF NIVERVILLE URBAN FRINGE STUDY

In response to your letter of June 21, 1984, we wish to submit the following information as our input to the subject study.

The area to the north of the village does not affect any roads under the jurisdiction of this Department; therefore, we have no comment.

The area to the south is bisected by Provincial Road No. 318.

We have no specific preference for the type of land uses which can be allowed in these areas provided that the land use does not provide a bad visual experience for the travelling public and provided that development will be allowed in a very well-planned manner guided by an overall conceptual plan.

We would be opposed to the creation of "strip development" along Provincial Road No. 318. In fact it is recommended that Part B.2 of Provincial Land Use Policy No. 12 be used as guidelines in the formulation of development policies for this area. Part B.2 of this policy states:

> "In areas where residential (including rural non-farm and seasonal (types), commercial or industrial uses are to be allowed in close proximity to a provincial highway, the following development criteria should be observed:
>
> (a) Strip development along the highway, whereby direct connections to the highway are continuously relied upon for providing access to abutting properties, shall not be permitted.
>
> (b) The kind of development that would generate traffic in an amount or of a type that would unduly impair the present and potential capability of the adjoining highway to carry traffic safely and efficiently, shall not be permitted.
>
> (c) The local road or street network associated with any type of proposed development shall be designed to be in accord with both the existing and planned road and street system of the neighbouring areas."

In addition, we wish to recommend that overall drainage plans be considered for areas that are expected to experience extensive development.

(cont'd)

We trust the foregoing is satisfactory. Should you, however, have any questions, please do not hesitate to contact us.

Joseph Romeo, P. Eng.
Development Review Engineer

JR/cl

AUG 13 1984
MUNICIPAL PLANNING BR.
STEINBACH, MANITOBA

III. POLICY RECOMMENDATIONS

The mandate of this study requires that a policy recommendation be prepared for guiding the subsequent Basic Planning Statement Amendment. The policies in the Basic Planning Statement Amendment should adequately deal with the following:

(i) Allow only those uses of land which would not interfere with the normal expansion of the Village;

(ii) Retain parcels of land adequate in size and shape to facilitate the planned change of land from rural to urban adjacent to the built-up areas;

(iii) Establish special protection for the lagoon, railways, provincial roads and major gas transmission lines.

Therefore, the policy recommended for the above designated fringe area of the Village of Niverville are as follows:

(a) Strip development along P.R. No. 318 whereby direct connections to the road are continuously relied upon for providing access to abutting properties, shall not be permitted.

(b) Present land uses in the fringe study area shall be continued until such time as needed for the orderly economical expansion of Niverville.

(c) Land in the study area should be designated in the Basic Planning Statement for agricultural use with minimum acreage of 80 acres.

(d) Residential, commercial and industrial land uses within a quarter mile of the Niverville lagoon shall not be allowed.